

IN THE CLAIMS:

Pursuant to 37 C.F.R. §1.121(c)(1), please amend claims: 91, 93, 94, 100, 106, and 113. These amendments are made solely to correct typographical errors and informalities and to clarify the scope of the claim.

Please also ~~cancel~~ claims 109-111 without prejudice.

As required by required by 37 C.F.R. §1.121(c)(1)(i), all amended claims are reproduced below in clean form. For the convenience of the Examiner, all presently pending claims are also reproduced below. Marked-up copies of the amended claims as required by 37 C.F.R. §1.121(c)(ii) are provided in **APPENDIX A** to this Response.

CONDITION OF ALL CLAIMS AFTER ENTRY OF THIS RESPONSE

1 90. An improved method for stabilizing a spinous process relative to another
2 spinous process, said method being of the type wherein a device is implanted between
3 said spinous process and said another spinous process, wherein said improvement
4 comprises:

5 introducing between said spinous process and said another spinous
6 process a device which conforms to the shape of at least one of said spinous
7 process and said another spinous process.

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1 91. **(Amended)** An improved method for stabilizing a spinous process relative
2 to another spinous process, said method being of the type wherein a device is
3 implanted between said spinous process and said another spinous process, wherein
4 said improvement comprises:

5 introducing between said spinous process and said another spinous
6 process a device which is conformable *in situ* to the shape of at least one of said
7 spinous process and said another spinous process.

1 92. An improved method for stabilizing a spinous process relative to another
2 spinous process, said method being of the type wherein a device is implanted between

3 said spinous process and said another spinous process, wherein said improvement
4 comprises:

5 introducing between said spinous process and said another spinous
6 process a device which is pre-formed to the shape of at least one of said spinous
7 process and said another spinous process.

1 93. **(Amended)** An improved method for stabilizing a spinous process relative
2 to another spinous process, said method being of the type wherein a device is
3 implanted between said spinous process and said another spinous process, wherein
4 said improvement comprises:

5 introducing between said spinous process and said another spinous
6 process a device having a sealable cavity which is fillable with a material.

1 94. **(Amended)** An improved method for stabilizing a spinous process relative
2 to another spinous process, said method being of the type wherein a device is
3 implanted between said spinous process and said another spinous process, wherein
4 said improvement comprises:

5 introducing between said spinous process and said another spinous
6 process a device which has flexible walls defining a sealable cavity capable of
7 being filled with a material.

1 95. An improved method for stabilizing a spinous process relative to another
2 spinous process, said method being of the type wherein a device is implanted between
3 said spinous process and said another spinous process, wherein said improvement
4 comprises:

5 introducing between said spinous process and said another spinous
6 process a device which acts as a shock absorber.

1 96. An improved method for stabilizing a spinous process relative to another
2 spinous process, said method being of the type wherein a device is implanted between
3 said spinous process and said another spinous process, wherein said improvement
4 comprises:

5 introducing between said spinous process and said another spinous
6 process a device which acts as a shock absorber to dampen motion of at least
7 one of said spinous process and said another spinous process.

1 97. An improved method for stabilizing a spinous process relative to another
2 spinous process, said method being of the type wherein a device is implanted between
3 said spinous process and said another spinous process, wherein said improvement
4 comprises:

5 introducing between said spinous process and said another spinous
6 process a device which spreads out any forces between the device and any one
7 of the spinous process and the another spinous process which comes in contact
8 with the device.

1 98. An improved method for stabilizing a spinous process relative to another
2 spinous process, said method being of the type wherein a device is implanted between
3 said spinous process and said another spinous process, wherein said improvement
4 comprises:

5 introducing between said spinous process and said another spinous
6 process a device which is comprised of a shape memory material.

1 99. The improved method of claim 98 wherein:
2 said introducing step wherein said device having an introduction shape
3 and a final implanted shape and wherein said device is first put into the
4 introduction shape at the beginning of the introducing step and then allowed to
5 assume the implanted shape relative to at least one of said spinous process and
6 said another spinous process.

1 100. (Amended) The improved method of claim 98 wherein:
2 said introducing step includes using a material which changes shape
3 according to temperature.

1 101. A method for relieving pain associated with the spine comprising the steps
2 of:

3 introducing a device between a spinous process and another spinous
4 process, which device includes a flexible wall which defines a cavity; and
5 filling the cavity with a material.

1 102. A method of relieving pain associated with the spine comprising the steps

2 of:

3 introducing a device relative to a spinous process and another spinous
4 process, wherein said device has a first configuration and a second
5 configuration, and the introducing step includes introducing the device in the first
6 configuration; and

7 allowing the device to reconfigure to the second configuration.

1 103. The method of claim 102 including:

2 said allowing step allows the device to reconfigure about one of the
3 spinous process and the another spinous process.

1 104. The method of claim 102 including:

2 said allowing step allows the device to reconfigure between the spinous
3 process and the another spinous process.

1 105. The method of claim 102 including:

2 using an introduction tool in order to introduce the device relative to the
3 spinous process and the another spinous process in the first configuration; and
4 removing the introduction tool in order to allow the device to reconfigure to
5 the second configuration.

1 106. (Amended) The method of claim 102 further including:

2 a removing step allow the device to reconfigure about one of said spinous
3 process and said another spinous process.

1 107. The method of claim 102 wherein:

2 prior to said introducing step is the step of causing the device to come to a
3 first temperature associated with the first configuration; and

4 said allowing step allows the device to come to a second temperature
5 when placed relative to the spinous process and the another spinous process in
6 order that the device reconfigures to the second configuration.

1 108. A method for relieving pain associated with the spine comprising the steps

2 of:

3 introducing a device relative to a spinous process and another spinous
4 process which device is able do dampen relative motion between the spinous
5 process and the another spinous process; and

6 not connecting the device to either of the spinous process or the another
7 spinous process.

1 112. An improved method for stabilizing a spinous process relative to
2 another spinous process, said method being of the type wherein a device is
3 implanted between said spinous process and said another spinous process, wherein
4 said improvement comprises:

5 introducing between the spinous process and the another spinous process
6 a device which is adapted to distract apart the spinous processes without altering
7 the spinous processes.

1 113. **(Amended)** An improved method for stabilizing a spinous process
2 relative to another spinous process, said method being of the type wherein a device
3 is implanted between said spinous process and said another spinous process,
4 wherein said improvement comprises:

5 introducing between the spinous process and the another spinous process
6 a device without altering the spinous processes.

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